

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS – MARSHALL DIVISION**

Advanced Processor Technologies LLC :	:	
Plaintiff,	:	
v.	:	Civ. No. 2:12-cv-152-JRG-RSP
	:	Lead Case
Atmel Corporation,	:	
	:	Consolidated
Defendant.	:	

Advanced Processor Technologies LLC :	:	
Plaintiff,	:	
v.	:	Civ. No. 2:12-cv-602-JRG-RSP
	:	Lead Case
Altera Corporation,	:	
	:	Consolidated
Defendant.	:	

ORDER OF DISMISSAL

Plaintiff Advanced Processor Technologies LLC (“APT”) and Defendant Altera Corporation (“Altera”), and Intervenor-Defendants ARM Ltd, and ARM, Inc. (collectively, “ARM”) have stipulated that:

APT filed suit against Defendant Altera (Civ. No. 2:12-cv-602-JRG-RSP, consolidated in Civ. No. 2:12-cv-152-JRG-RSP), and ARM intervened and filed counterclaims against APT in APT v. Analog Devices et al, Inc. Civil Action No. 2:11-cv-19-JRG-RSP, which is also consolidated in the above-captioned case;

APT and ARM have settled APT’s claims for relief against ARM and its licensees, and ARM’s counterclaims for relief against APT asserted in Civil Action No. 2:11-cv-19-JRG-RSP;

APT and Defendant Altera have entered into a release agreement relating to Altera’s ARM-Based Products, as defined therein;

The claims pending against Defendant Altera in Civil Action No. 2:12-cv-602-JRG-RSP are solely based on, relate to and arise from Defendant Altera's ARM-Based Products, as defined in the APT-Altera release agreement; and

The dismissal of Civil Action No. 2:12-cv-602-JRG-RSP shall not preclude or limit for purposes of claim preclusion or issue preclusion any claims or counterclaims, or potential claims, defenses or counterclaims, of any party or third-party that relate to or arise from products or services that are not ARM-Based Products, as defined in the APT-Altera release agreement.

The Court, having considered this request, is of the opinion that their request for dismissal should be granted.

IT IS THEREFORE ORDERED that subject to the above stipulations all claims relating to or arising from ARM-Based Products, as defined in the APT-Altera release agreement, pending in this case against Defendant Altera in Civil Action No. 2:12-cv-602-JRG-RSP are dismissed with prejudice, and any other claims, counterclaims (including, without limitation, counterclaims of invalidity) or potential claims are dismissed without prejudice. IT IS FURTHER ORDERED that all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.

SIGNED this 27th day of June, 2013.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE